UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

ROBERT ASIPI, Plaintiff)) COMPLAINT)	
v.) Case No.: 1:20-cv-11	892
NEW ENGLAND GYPSUM SUPPLY, INC., Defendant))	

PARTIES

- 1. Plaintiff Robert Asipi is an individual who resides at 345 Cedar Street, Apartment 2, Manchester, New Hampshire.
- 2. Defendant New England Gypsum Supply, Inc. is a Georgia corporation with a principal office at 100 Crescent Centre Parkway, Suite 800, Tucker, Georgia.

JURISDICTION

- 3. Jurisdiction exists pursuant to 28 U.S.C. § 1332. The amount in controversy exceeds seventy-five thousand dollars (\$75,000) exclusive of costs and interest.
- 4. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b)(2).

FACTS

- 5. On August 16, 2018, plaintiff Robert Asipi was working in an elevated boom lift at the Encore Casino construction site in Everett, Massachusetts. As he was operating the boom lift, a truck being driven by an agent, servant, or employee of defendant New England Gypsum Supply, Inc. struck the base of the boom lift, causing the upper portion of the lift in which Mr. Asipi was working to swing wildly and strike the side of the building.
- 6. The cause of the incident was the carelessness and negligence of defendant New England Gypsum Supply, Inc.'s agent, servant, or employee in the operation of its motor vehicle.

- 7. At all times material to this complaint, the driver of defendant New England Gypsum Supply, Inc.'s vehicle was acting in his capacity as an agent, servant, or employee of defendant.
- 8. As a result of the collision, plaintiff Robert Asipi was caused to sustain personal injuries.
- 9. As a result of the injuries sustained as aforesaid, plaintiff Robert Asipi was caused to suffer great pain of body and anguish of mind, his earning capacity has been and will be impaired for a long period of time, and she has expended and will continue to expend large sums of money for medical care and attendance.

CAUSE OF ACTION

(This Cause of Action Specifically Incorporates by Reference All of Those Paragraphs Previously Set Forth)

First Cause of Action

10. This is an action by plaintiff Robert Asipi against defendant New England Gypsum Supply, Inc. for negligence resulting in personal injuries.

DEMAND FOR RELIEF

11. Plaintiff Robert Asipi demands judgment against defendant New England Gypsum Supply, Inc. as to the First Cause of Action in the amount of the damages sustained, seven-hundred and twenty-five thousand dollars (\$725,000.00), together with interest and costs.

JURY DEMAND

The plaintiff claims a trial by jury.

Plaintiff, By His Attorneys LAW OFFICES OF SAMUEL A. SEGAL

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Dated: July 19, 2019